

ASSIGNED

AMENDED

Serial No. 52112

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. MAY 18 1988

Returned to applicant for correction. JUN 06 1988

Corrected application filed. AUG 03 1988 Map filed. AUG 03 1988 under 52103

The applicant. H. H. Land & Cattle Company
Jay Hunt

P.O. Box 32

Street and No. or P.O. Box No.

Utah 84725

State and Zip Code No.

Enterprise

City or Town

hereby make.... application for permission to change the

Place of use, manner of use and point of diversion of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Proof No. 01027, Certificate No. 5

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Grassy Spring
Name of stream, lake, underground spring or other source.2. The amount of water to be changed. 0.033 c.f.s.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.3. The water to be used for. 1500 head of cattle and domestic purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.4. The water heretofore permitted for. 1500 head of cattle
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.5. The water is to be diverted at the following point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T. 5 S.,
Describe as being within a 40-acre subdivision of public survey and by course and
R64 E. M.D.B. & M. or at a point from which the S $\frac{1}{4}$ Corner of Section 34, T. 4 S.,
distance to a section corner. If on unsurveyed land, it should be stated.
R. 64 E., M.D.B. & M. bears N. 28°15' W., at 3,056 feet distance.6. The existing permitted point of diversion is located within "N. 11°57'W. 22,587 ft. from USMM NO. 1"
If point of diversion is not changed, do not answer
and "Approximately NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, T. 5 S., R. 64 E., M.D.B. & M. unsurveyed or
at a point which bears S. 28°15' E., 3,056 feet from the South $\frac{1}{4}$ Corner Section 34,
T. 4 S. R. 64 E. M.D.B. & M. See attached item 77. Proposed place of use.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.8. Existing place of use "approximately the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3, T. 5 S., R. 64 E., M.D.B. & M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) water is to be diverted into a 1 $\frac{1}{2}$
State manner in which water is to be diverted, i.e., diversion structure, ditches,
inch pipeline and delivered to various tanks and troughs as shown on the accompanying
pipes and flumes, or drilled well, etc. map.

12. Estimated cost of works \$9000.00

13. Estimated time required to construct works. 4 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

See attached item 15

This application also serves to correct the recorded point of diversion.

By /s/ Richard E. Fonger
Richard E. Fonger
P.O. Box 491
Ely, Nevada 89301

Compared kh/ pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:
This permit to change place of use of a portion of the waters of Grassy Spring heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water 01027 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of Grassy Spring that may be made under adjudication proceedings under NRS 533.090 through 533.320. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The total combined duty of water under Permits 52103 through 52118 inclusive and 52366 shall not exceed sufficient water for 900 head of cattle.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.008 cubic feet per second or sufficient to water 260 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before May 17, 1991

Proof of completion of work shall be filed before June 17, 1991

Application of water to beneficial use shall be made on or before May 17, 1993

Proof of the application of water to beneficial use shall be filed on or before June 17, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 2 2 1991 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed JUL 1 6 1993 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of May

Cultural map filed

Certificate No. 13782 Issued NOV 2 2 1993 A.D. 19 89
State Engineer

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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ITEM NO. 7

Township 2 South R. 63 E. Portions of Sections 11, 12, 15; Sections 13, 22 thru 26, 35, 36 (unsurveyed).
 Township 2 South, R. 64 E.: Portions of $S\frac{1}{2}$ Sections 7, 8, & 9; Portion of Sections 15, 22, 23, 25, & 26; Sections 16 thru 21, 27 thru 36.
 Township 2 South R. 65 E. Section 31, portion of Sections 29, 30, 32, & 33.
 Township 3 South R. 63 E. Sections 1, 2, 11 thru 14, 12 thru 26, 35 & 36.
 Township 3 South R. 64 E. ALL
 Township 3 South R. 65 E. Sections 4 thru 9, 16 thru 21, 28 thru 33.
 Township 4 South R. 63 E. Sections 1, 2, 11 thru 14, 23 thru 26, 35, 36.
 Township 4 South R. 64 E. ALL
 Township 4 South R. 65 E. Sections 4 thru 9, $W\frac{1}{2}$ of 10, 17 thru 21, 28 thru 33.
 Township 5 South R. 63 East Sections 1, 2, 11 thru 14, 23 thru 27 & 34 thru 36.
 Township 5 South R. 64 E. ALL SECTIONS
 Township 5 South R. 65 E. Sections 5 thru 8, 17 thru 20, 29 thru 32.
 Township 6 South R. 63 E. Sections 1 portions of 2, 3, 11 and 12.
 Township 6 South R. 64 E. Sections 1 thru 6, portions of 7 thru 11 & 12.
 Township 6 South R. 65 E. Sections 5 thru 8, 17, 18, 20.

Township 2 South R. 63 E. Section 14 (portion)
 Township 2 South R. 64 E. Section 10 (portion)

All in M.D.B. & M.

ITEM NO. 15

The following sources of water are to be comingled:

Conaway Springs (Pace Spring) Permit No. 6095, Certificate No. 1054;
 Rabbit Spring Proof NO. 01549;
 Cliff Spring Permit No. 780, Certificate No. 566
 Dana Spring Permit No. 4972, Certificate No. 734;
 Oak Spring Proof No. 01027;
 Cyclone Spring Permit No. 780, Certificate No. 566;
 Redrock Spring Permit No. 780, Certificate No. 566;
 Canyon Spring No. 1 Permit No 4697, Certificate No. 733;
 Canyon Spring No. 2 Permit No. 4696, Certificate NO. 732;
 Grassy Spring Proof 01027, Permit No. 10189, Certificate NO. 2403;
 Cottonwood Spring Permit No. 3270 Certificate No. 269;
 Robinson Seeps Proof No. 01398;
 Abandoned Spring Permit No. 8921, Certificate No. 1700;
 Jensen Spring- Being applied for;
 Horn Spring Permit No. 11378, Certificate No. 4047;
 Joshua Spring Permit being applied for;
 Tunnel Spring No. 1 (undivided $\frac{1}{4}$ interest) Permit No. 12388, Certificate No. 4085.

